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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**

9
10 In re DMCA Subpoena to Google LLC,
11 D/B/A YouTube
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Misc. Case No.:

**DECLARATION OF DAVID
SILVER RE DMCA SUBPOENA
TO GOOGLE LLC, D/B/A
YOUTUBE PURSUANT TO 17
U.S.C. § 512(H)**

16 I, David Silver, declare under penalty of perjury that the following contents
17 of this Declaration are true and accurate. If called upon, I am competent to testify as
18 to the matters contained in this Declaration.
19

20 1. I am an attorney licensed to practice law in the State of California and
21 in the State of Nevada and I am admitted to practice before this Court. I am an
22 attorney-at-law in the law firm of Bayramoglu Law Offices LLC, where I practice
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1 primarily intellectual property law including patents, trademarks, and copyrights,
2 and I am representing Petitioner Zhenjing Kuang (“Petitioner”) in this matter.

3 2. Petitioner is the exclusive owner of the copyright in and to numerous
4 videos featuring monkeys and Petitioner’s interactions with monkeys.
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6 3. Petitioner has nearly 2 million followers on TikTok where he posts
7 his videos of himself interacting with monkeys.
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9 4. Petitioner is the owner of the “Monkey Mania” channel on YouTube
10 with the user name “@RealMonkeyKing.”

11 5. Despite Petitioner appearing personally in the majority of his videos,
12 the “Naughty Monkeys-2118” channel run by the user “@NaughtyMonkeys” is
13 pirating Petitioner’s videos with the intent to profit from Petitioner’s popularity.
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15 6. Petitioner is requesting the attached proposed subpoena that would
16 order YouTube to disclose the identity, including the name(s), address(es),
17 telephone number(s), and e-mail addresses(es), and the financial information of the
18 user operating the “@NaughtyMonkeys” account and running the “Naughty
19 Monkeys-2118” channel of YouTube’s platform.
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22 7. The purpose for which this subpoena is sought is to obtain the identity
23 of the user operating the “@NaughtyMonkeys” account and running the “Naughty
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1 Monkeys-2118” channel who has posted the content infringing Petitioner’s
2 copyrights on the YouTube platform and to determine the potential damages
3 Petitioner would be seeking in enforcing Petitioner’s copyrights.
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5 8. The information obtained will be used for the purpose of protecting
6 the rights granted to Petitioner under the Copyright Act.

7 9. Petitioner will be submitting a notification to YouTube under 17
8 U.S.C. § 512(c)(3)(A) that will accompany the requested subpoena in accordance
9 with 17 U.S.C. § 512(h). A true and accurate copy of the notification letter is
10 attached hereto as Exhibit 1.
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12

13 I declare under penalty of perjury under the laws of the United States of
14 America that the foregoing is true and correct.

15 Executed on this 12th day of September, 2024 at Las Vegas, Nevada.
16

17 By: /s/ David Silver
18 David Silver, Esq.
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